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In re: Application of: :
Maddalozzo, Jr. et al. :
Serial No: 09/173,040 : Before the Examiner:
Filed: 10/15/98 : C. Paula
Title: METHOD OF CONTROLLING : Date: 1/27/03
WEB BROWSER DOCUMENT IMAGE :
DOWNLOADS AND DISPLAYS :

APPELLANTS' BRIEF UNDER 37 C.F.R. 1.192

Assistant Commissioner of Patents
Washington, D. C. 20231

Sir:

This is an appeal to a final rejection dated December 03, 2002 of claims 1, 3 - 6, 8 - 11 and 13 - 27 of Application Serial Number 09/173,040 filed on October 15, 1998. This brief is submitted pursuant to a Notice of Appeal filed on January 22, 2003 in accordance with 37 C.F.R. 1.192.

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BRIEF FOR APPLICANTS - APPELLANTS

(1)

Real Party in Interest

The real party in interest is International Business Machines Corporation (IBM), the assignee.

(2)

Related Appeals and Interferences

There are no other appeals or interferences known to appellants, appellants' representative or assignee, which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3)

Status of Claims

Claims 1, 3 - 6, 8 - 11 and 13 - 27 have been finally rejected. This appeal involves all the rejected claims.

(4)

Status of Amendment

A "Request for Reconsideration" before the present Final Action was filed on September 13, 2002, which the Examiner deemed not to be persuasive.

(5)

Summary of the Invention

As mentioned in the Application as well as in the Responses to the Office Actions, image files contain much more data than text files and thus take longer to download and display. In addition, the more complex the image the greater the amount of data needed to represent the image.

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Hence, it can be very frustrating, when displaying a document containing more than one graphic image of which only one (image) or none may be of interest to a user, for the user to wait for the whole document to be downloaded and displayed. Conventional browsers have afforded users the luxury of stopping the download and display of a document by a simple mouse click on a "STOP" button. However, when the stop button is used, the display of the whole document, including all image files and text file, is aborted and not just the images that are not of interest. The present invention provides a mechanism to either suspend or altogether cancel the download and display of graphic images in a document (see page 4, lines 17 - 27 as well as display areas 142 and 144 of Fig. 4 and boxes 600, 605, 610, 615 and 620 of Fig. 6).

In accordance with the teachings of the invention when a text file containing an embedded image file is to be displayed, the display of the image file will be stopped (while the image file is being displayed) if it is of no interest to the user (see page 5, lines 3 - 6, 18 - 22, page 6, lines 11 - 17). The capability of displaying only image files of interest to the user greatly reduces the time the user spends waiting for an entire Web page to be displayed.

(6)

Issues

Whether claims 1, 3 - 6, 8 - 11 and 13 - 27 were properly rejected under 35 USC 103(a) as being unpatentable over Angiulo et al. in view of Cragun et al.

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(7)

Grouping of Claims

The rejected claims stand or fall together.

(8)

Argument

In considering a Section 103 rejection, the subject matter of the claim "as a whole" must be considered and analyzed. In the analysis, it is necessary that the scope and contents of the prior art and differences between the art and the claimed invention (taken as a whole) be determined. *Graham v. John Deere Co.*, 383 U.S. 1 (1966).

The Examiner conceded that Angiulo et al. do not teach independently "halting displaying of said image file after displaying said image" [sic]. Nonetheless, the Examiner rejected the claims. To support the rejection, the Examiner asserted that "Cragun et al. teaches the selective halting of images in HTML pages as desired by a user". Consequently, the Examiner reasoned, it would have been obvious to a person skilled in the art to combine the teachings of Angiulo et al. with those of Cragun et al. to arrive at the claimed invention. Applicants respectfully disagree.

Cragun et al. purport to teach an apparatus and method for the manual selective blocking of images. According to the teachings of Cragun et al., when a Web page that includes images is displayed, a user may select one or more images to block from being displayed in the future. If the user does so, when the page is re-accessed in the future, the blocked image or images will not be displayed.

However, Cragun et al. do not teach, show or so much as suggest *independently halting the display of an image*,

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while the image is being displayed as claimed. Hence, combining the teachings of Angiulo et al. with those of Cragun et al. will not show the claimed invention.

The Examiner rejected some of the dependent claims using Stone et al. in combination with Angiulo et al. and Cragun et al. But, as applicants stated in the Response to the first Office Action, Stone et al. purport to disclose a Web browser control mechanism for incorporating Web browser functionality into application programs. According to Stone et al., a software object called a Web browser control exposes Web browser functionality to application programs through an application programming interface. Accordingly, the Web browser control includes a "stop" button or has a "stop" interface command. When the stop interface command is used, the whole Web document display is aborted.

Thus, Stone et al. do not teach, show or suggest *independently halting the display of an image, while the image is being displayed* as claimed.

Consequently, using the teachings of Angiulo et al. alone or in combination with those of Cragun et al. and/or Stone et al. does not show, teach or suggest the claimed invention. Applicants, therefore, respectfully request that the rejection be overturned and the claims allowed.

Respectfully submitted,
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Appendix

1. (Twice amended) A method of controlling web browser document displays, said document being displayed on a display system by a user and having at least a text file and an image file, said method comprising the steps of:

displaying said text file on said display system;

displaying said image file on said display system; and

independently halting the display of said image file, while said image file is being displayed, if said image file is not of interest to the user.
3. (Amended) The method of Claim 1 further including the step of resuming displaying said image file after halting displaying said image file.
4. (Amended) The method of Claim 1 wherein said step of halting displaying said image file includes the step of stopping downloading data representing said image file to said display system.
5. The method of Claim 3 wherein said step of resuming displaying said image file includes the step of resuming downloading data representing said image file to said display system.

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6. (Twice amended) An apparatus for controlling web browser document displays, said document being displayed on a display system by a user and having at least a text file and an image file, said apparatus comprising:

means for displaying said text file on said display system;

means for displaying said image file on said display system; and

means for independently halting the display of the image file, while the image file is being displayed, if the image file is not of interest to the user.

8. (Amended) The apparatus of Claim 6 further including means for resuming displaying said image file after halting displaying said image file.
9. (Amended) The apparatus of Claim 6 wherein said means for halting displaying said image file includes means for stopping downloading data representing said image file to said display system.
10. The apparatus of Claim 8 wherein said means for resuming displaying said image file includes means for resuming downloading data representing said image file to said display system.
11. (Twice amended) A computer program product on a computer readable medium having computer program code

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means for controlling web browser document displays, said document being displayed on a display system by a user and having at least a text file and an image file, said apparatus comprising:

computer program code means for displaying said text file on said display system;

computer program code means for displaying said image file on said display system; and

computer program code means for independently halting the display of the image file, while the image file is being displayed, if the image is not of interest to the user.

13. (Amended) The computer program of Claim 11 further including computer program code means for resuming displaying said image file after halting displaying said image file.

14. (Amended) The computer program of Claim 11 wherein said computer program code means for halting displaying said image file includes computer program code means for stopping downloading data representing said image file to said display system.

15. The computer program of Claim 13 wherein said computer program code means for resuming displaying said image file includes computer program code means for resuming downloading data representing said image file to said display system.

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16. (Amended) A method of downloading a web document, said document containing a text file as well as an image file, said method comprising the steps of:

downloading and displaying said document; and

independently stopping, while said document is being downloaded, the download of said image file if said image file is not of interest to a user.

17. The method of Claim 16 wherein the stopping step includes the step of halting the display of said image file while said image file is being displayed.

18. The method of Claim 17 further including the step of resuming the display of said image file.

19. (Amended) A computer program product on a computer readable medium for downloading a web document, said document containing a text file as well as an image file, said computer program product method comprising:

code means for downloading and displaying said document; and

code means for independently stopping, while said document is being downloaded, the download of said image file if said image file is not of interest to a user.

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20. The computer program product of Claim 19 wherein the stopping code means includes code means for halting the display of said image file while said image file is being displayed.
21. The computer program product of Claim 20 further including code means for resuming the display of said image file.
22. (Amended) An apparatus for downloading a web document, said document containing a text file as well as an image file, said apparatus comprising:
- means for downloading and displaying said document;
and
- means for independently stopping, while said document is being downloaded, the download of said image file if said image file is not of interest to a user.
23. The apparatus of Claim 22 wherein the stopping means includes means for halting the display of said image file while said image file is being displayed.
24. The apparatus of Claim 23 further including means for resuming the display of said image file.
25. (Amended) A computer system for downloading a web document, said document containing a text file as well as an image file, said computer system comprising:
- at least one memory device for storing code data; and

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at least one processor for processing said code data to download and display said document, and to independently stop, while said document is being downloaded, the download of said image file if said image file is not of interest to a user.

26. The computer system of Claim 25 wherein the processor processes said code data to halt the display of said image file while said image file is being displayed.
27. The computer system of Claim 26 wherein the processor further processes said code data to resume the display of said image file.

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